

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

ALVIN J. DUNCAN,

Plaintiff,

vs.

U.S. PRESIDENT ROBINETTE
BIDEN, SHERIFF MIKE LINDER,
SCOTT TWITO,

Defendants.

CV 24-02-BLG-SPW


ORDER

Before the Court is Plaintiff's Motion for Seizure of Equipment, in which he presumably asks the Court to grant a warrant for the seizure of one Humvee, one gas card, three U.S. Navy Seals uniforms, and a military credit card from the U.S. Navy. (Doc. 20). Plaintiff previously asked for the same relief in this matter, which the Court denied. (Docs. 4, 8, 9). Plaintiff appealed the Court's decision on April 15, 2024, and the Ninth Circuit docketed the case on April 19, 2024. (Docs. 11, 12).

Since Plaintiff has appealed the Court's decision on the same issue Plaintiff now raises, the Court does not have jurisdiction over the matter. *See Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) ("The general rule is that once a notice of appeal has been filed the district court is divested of jurisdiction over the matters being appealed."). The Court must deny the motion.

IT IS SO ORDERED that Plaintiff's Motion for Seizure of Equipment (Doc. 20) is DENIED.

DATED this 26th day of June, 2024.


SUSAN P. WATTERS
United States District Judge